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Federal Communications Commission  
Office Of the Secretary  
555 12<sup>th</sup> Street – SW, RM. # 10867  
Washington, D.C. 20012



**COMMENTS –**

**Petition For Rulemaking (Part 97 Rules) by American Radio Relay League RM # 10867 , An Amendment of Part 97 of the Commissions' Rules of the Amateur Radio Service to Implement Changes in accord with Article 25 Of The International Radio Regulations, Adopted at the 2003 World Radio Communication Conference.**

**FCC Commissioners;**

I hereby submit these adverse comments for consideration by the Commission  
Against enacting this petition as presented by The American Radio Relay League  
(ARRL), presenting before the Commission a Rule Making Proposal to change  
Part 97 of the Amateur Radio Regulations created by the F.C.C. and recently  
amended in April, 2000.

**FORWARD**

It is my view that this Petition For Rulemaking hinders new licensee learning requirements in the Amateur Radio service by skipping requiring testing for one class of license (General) from Technician Class, and exempting testing of Morse Code requirements set in place for the NEWLY Proposed Novice Class, and, in addition, the ARRL's Proposed General Class grandfathering of existing Technician Class Licensees in my opinion will not create better or more efficient operators, once the code requirement is dispensed with.

Further comments are directed at interference potential on HF bands, propagation aspects, and study of frequency usage required of Proposed New Novice Class operators in the Amateur Service in the H.F. , 6 meter, 2 meter and 70 cm bands).

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**The license classes currently assigned to the Amateur Service are;**

(\*-eliminated class of license for current VE testing )

**Technician** –(written test only) currently limited to 6 meter (50-54 Mhz), 2 meter (144-148 Mhz), and 70 cm (430-450 Mhz) bands, 920 Mhz, and 1240 Mhz (voice), SSB, and RTTY, Packet, and A-TV.

**\*Technician Plus** – Written & Morse Code) (grandfathered)- Limited HF bands, code and voice, except frequencies reserved for General Class Operators.

**\*Advanced** - (Written & Morse Code)- (grandfathered)- with HF privileges on some lower bands, and all other existing privileges.

**General** – Code test required, currently, as well as written, HF privileges on most parts except for HF frequencies reserved for Extra Class operators. The ARRL wants to eliminate Morse code requirement for this class of license in the future.

**Extra**- full privileges on all bands of amateur regulation with voice, code, and other modes (ARRL proposal to be only class with a lowered, existing code requirement).

**New License Classes Proposed by ARRL;**

**NOVICE**- limited HF privileges, no Morse code test required-\*100 watt limit imposed on certain HF frequency bands.(no Morse code test required)

**GENERAL**- (and grandfathered Technician class licensees) –no code for newly automatically upgraded class.

**Eliminated** after rulemaking granted by F.C.C.- HF band-permits increased voice operation, and all Existing General Class privileges. (no code test required, no testing required, except for current upgrades and Morse testing currently required)

**EXTRA**- all band privileges, nothing changes, but some change in Morse requirement

\*For new upgraded licensees proposed Petition requires code standard to be lowered to 5 wpm for new Extra class applicants.

In this Petition for Rulemaking, The ARRL seeks to consolidate and eliminate three out of the five existing license classes and re-introduce a third (new) NOVICE license, into the Amateur Radio Service with new, limited HF band operating privileges.

I am all for having a Novice License class, but feel the HF privileges are giving the new licensees too many band privileges and too much wattage, and should not be granted.

**REASON #1 TO DENY PETITION: REGULATORY BOONDOGGLE**

Revised Licensing Structure would create an abundance of Regulatory Work for the Commission in the Proposals' present form. It sounds simple, but to re-license thousands of existing licenses , especially the Technician to General class, would take months, not weeks.

**REASON #2 TO DENY PETITION: ENFORCING LAWLESSNESS ON THE AIR**

New Novice operators have potential of not obeying either F.C.C. rules, or local established rules of conduct, on HF, and VHF or UHF repeater systems.

In my view, the approval of this petition in its present form by the ARRL could not escape further regulatory measures, to be enacted in the future, by the Commission, if this Petition is granted by the F.C.C., due to confusion of many amateurs regarding other licensees operation on some HF bands ,new novice operators would not be contained in the existing privileges sufficiently, to not create interference to other existing licensees, on other bands, and frequencies which are proposed to be forbidden for Novice operation.

Most Novices would not care to operate Within the operational limitations of their licenses, to understand which frequencies they may not transmit on.

**REASON # 3: AMATEUR COMMUNITY, AGAIN, NOT TOLD AHEAD OF TIME OF THIS PROPOSAL SUBMISSION.**

Further, I submit that the ARRL has not been fully forthcoming with its' membership

*And has not let its' membership vote on putting forward this Petition, only the ARRL Board Of Directors has voted on submitting this proposal, which was in January of 2004..* Other more experienced amateur operators have questioned why the League finds the Opening up of the HF bands necessary for Proposed Novice class licensees .

The reasoning behind all of this restructuring is due to two reasons only, membership in ARRL is not dropping, except in the beginners' licenses, the technician class, and equipment manufacturers are experiencing falling profits, and the ARRL sees this as an opportunity to generate more revenue for the League over the next 10 years.

I checked with other ARRL filed Proposals in the past 8-10 years, and amazingly find that the membership was not notified directly or permitted to vote— in over half of the proposals it has submitted over the past 10 years.

To back up this statement I have three past letters of comment to the Commission submitted by amateurs which point to ARRL's failure to notify the membership by letter of notice of its' intent to submit Restructuring Petitions in the past.

\*Only after the petitions/proposals were voted on, and approved by the Commission, was the ARRL membership then notified of its' changes.

**REASON # 4: ARRL RUSHING TO PUSH FCC RE-LICENSING – Or Increasing Radio Manufacturing Profits**

The Board Of Directors of ARRL has pushed this Petition for Rulemaking though, and is counting on the financial backing of Amateur Radio Equipment manufacturers, from whom they depend on for advertising revenue in the Amateur Service magazine "QST", for continuing revenue, and, in addition, for the companies involved with Amateur Radios and related apparatus, secondly, to increase its' output of radio apparatus to meet the growing demand for transceivers this Petition would generate, and the effect of the rise in equipment sales (if this Petition is granted by the FCC), the ARRL is also hoping for an increase in its' membership, due to all of the new Novice class operators having new HF privileges, which the ARRL is hoping would be direct results of the F.C.C. passing of this Petition into Rule Making. According to the ARRL's own numbers, a consistent drop in membership, and licensed operators are but two of the many reasons it has to put forward this proposal.

I have researched the old Novice class license, and found that there have never been such sweeping changes or additions to the HF bands to this class of license in the History of the Amateur Radio Service ever.

**REASON #5 – ARRL SIMPLIFYING THE LICENSING PROCESS**

*The ARRL has stated that "they seek to simplify, streamline and enhance the license structure", when, if granted, these new privileges will increase interference on the HF bands, create more restructuring work and additional re-working of license information on existing Commission licensees being automatically upgraded from Technician class to the General Class, with HF privileges, and require rulemaking to rewrite in totality— Part 97 to require no Morse Code examination(CSCE) for the future Amateur Radio applicants.*

By enacting this Petition as written, The Commission automatically assumes responsibility for having many more complaints against these newly licensed Novice operators, affect the Commission adversely and to re-think approval of this petition in the future.

The ARRL states it is not dumbing -down the learning curve, that the Amateur Service has traditionally held learning above any other principals.

All this Proposal is providing for Novice Class licensees is providing a freedom to operate on H.F. (High Frequency Band) when proven testing indicates that operation on the HF bands requires a knowledge of several different atmospheric parameters, antenna configuration, wattage limits, and good station operation practices, including Morse Code, before the amateur can successfully contact other amateurs on the HF frequencies within not only this country, but in many other countries.

The ARRL has made a mockery of the General Class license, by proposing eliminating testing for it, moving all existing Technician class licensees to General class (grand-fathering), and eliminating the 5 words per minute Morse Code requirement for all classes except Extra, where currently, The General Class has to pass a written test and a five-word per minute Morse Code test (sending or receiving) successfully, to qualify for that license.

This hobby will not be as enjoyable, since no-one will have to learn "the code" to get the license or learn more about amateur radio propagation, and related electronics questions to pass the General test.

Many ham radio operators have informed me of their opinions on this matter, and they have said "if you don't earn it, why give it away?"

Some reference the adage about the metaphoric correlation between (college courses) and (testing) for amateur radio licenses.

They say, "lowering the standards for all license classes is—similar to-- lowering educational standards for college courses". I agree with this philosophy.

#### **REASON # 6 : Homeland Security Issues**

The current amateur radio emergency response associations are RACES(Radio Amateur Civil Emergency Service), with a M.O.U. with FEMA, and the other main Emergency Radio Association is named :

ARES,(Amateur Radio Emergency Service), a organization of local amateurs who volunteer to drill with State E.O.C. cooperation, and assist the Red Cross, Salvation Army and other disaster relief organizations, seeks to operate on HF /VHF/UHF bands, during statewide drills and activations.

In an area-wide emergency, or response affecting 2 or more areas of the United States, as we experienced during the terrorist attacks in America on September 11, 2001, amateurs of all areas of the United States came together to set-up coordinated networks of communications(some on portable repeaters), due to telephone overuse, power outages, and cell-phone network overload conditions being prevalent in the devastated areas.

Amateur Radio has been recognized as a Fail-Safe Communications tool to be used when disaster strikes.

When newly licensed Novice Class Operators transmit on the HF bands , the ARRL assures you and us that they will be limited to 100 watts e.r.p. on a small section of HF bands, hopefully where they will not interfere with General and Extra class communications, but there are no guarantees.

The reason I state this, is because there are no restrictions (except by FCC rules), on the current manufactured amplifiers that would prohibit any licensed operator from broadcasting a high-wattage signal, (in excess of 100 watts) on any of the HF bands.

Current F.C.C. rules state any General or Extra Class Licensees up to 1500 watts e.r.p., to transmit with on certain frequencies, mainly HF, but on lower bands and directional antennas to make world-wide radio contacts.

Transmission interference from high-wattage stations especially operated by Novices, I suggest, would not be as controlled as for existing licensees, and would lead to intentional, unintentional, and possibly harmful interference to existing Amateur communications, whether they be local, wide area, state to state, or country to country, and possibly the Novice Licensee would not be able to control their transmissions due to inexperience at operating state of the art high tech, digital readout HF radios.

I submit that some would not adhere to any rules, until caught and fined, and possibly have the license revoked by the Commission for transmissions of out of band, excessive wattage, and disruption to existing H.F. or emergency communications. This Proposal, if enacted, will cause no end for years of deliberate or unintentional interference to High Frequency and/or VHF-UHF net and emergency communications.

Here are some of the questions that I have asked on the two meter repeaters and some of the responses.

Question 1- How will they (Novices) know where emergency communicators are talking and where they assigned on a particular frequency when they (the emergency communicators) need a HF frequency for communications.?

A: They will not, and inevitable interference will result in many amateurs operating on the HF bands, Novice licensees would be creating too high a noise floor (by their own transmissions), to propagate a signal.

Question 2 - What is to prevent a cunning terrorist (maybe a licensed one) from creating deliberate interference?

A: Nothing - when they could pass this new Novice test answering 21, out of 25 questions to obtain a new Novice radio license, access to the HF bands just by buying a radio, power supply, a cable, antenna, pre-manufactured, and ready to plug-in. (note: there is no current limitation on the use of HF amplifiers as long as a Licensed amateur does not manufacture more than one a year, currently there are no restrictions on multiple ownership of these units.

Question 3- How would the existing population of operators greet new Novices and Generals (from Technicians) into the HF bands?

Answer: Not very well, some existing licensees may decide to cancel participation in the hobby altogether, some may start on-air arguments, as well as swearing, and literally chastising newcomers off of certain frequencies.

Question 4: Amateurs are proud to police their own airwaves, what happens when they cannot?.

Answer: It will be up to the FCC to see its enforcement of rule-breakers is met with stiff fines, confiscation of radio equipment, and hearings to force unruly regulation breakers into forfeiture of their license and privileges to operate.

While on the VHF repeaters, I have asked other operators questions about this proposal,

While most comments were in the affirmative, some were in the negative.

Many have expressed an interest in seeing the fee charged (CSCE) for the Morse Code Exam by the ARRL returned, or refunded to them, if this proposal is enacted.

Others have stated it would make them move onto new technologies of propagation into higher bands of frequency, and some Technician class operators currently licensed welcome the proposal as a cure-all, for not having to pass the code test to operate on High Frequency bands.

## CONCLUSION

It is hoped that once the Commission understands the hard work, intelligence, and dedication of many of the Commissions' amateur licensees, who must be praised for working so diligently to make the most of this "hobby" and to bring up and teach the next generation of Amateur radio Operators, they will not approve this measure, but will study other ways to affect changes to the licensees, frequencies, and operating tests to create a happy medium in which all licensed will enjoy it with a minimum amount of problems.

Common sense tells me this Proposal generated by the ARRL is not the proper way to ensure increased participation in this hobby, now, or in the future.

Hopefully, the Commission will come to the sensible conclusion, and leave this

Petition as submitted set-aside, until it is ready to take on the challenges of re-licensing and of the further re-working of existing frequencies, which this proposal the ARRL represents is a win-win situation for both the FCC and the amateur community-- it says-- it represents.

I am a member of the ARRL, however, I remember how much studying I had to do and what a feeling of exhilaration I had, once I was told I passed the Technician examination.

I am currently studying for my General license. I am involved in Public Service communications, and one day will advance in my knowledge of other forms of propagation.

I got involved and licensed in Amateur Radio for several reasons.

The first and foremost, is because I wanted to be able to help my fellow man.

When this country is ever attacked by terrorists again, I am sure my radio gear will be able to be used to alliviate suffering, and maybe help save lives directly affected by a future incident.

Secondly, I joined the Amateur ranks because it was a challenge and learning experience and today, I am still learning aspects of this hobby, because there is so much learning to do, there are many traditions, procedures, nets, traffic handling methods, propagation methods, and equipment features to learn about.

In addition to antenna design, atmospheric ducting, satellite operation, APRS, and a host of experimentation, this hobby is intellectually stimulating like no other in my life experience, and I am proud to now be called a amateur radio operator.

Thank you for reading these comments.

Sincerely Yours,

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